

Because Fed. R. Civ. P. 25(a) is self-actuating, dismissal after the 90 day period is automatic. The Magistrate Judge's boilerplate language of 10 days to object does not supercede Fed. R. Civ. P. 25(a).

Therefore, the Court dismisses this action.

The referral of this matter to Magistrate Judge Perelman is terminated.

IT IS SO ORDERED.

A handwritten signature in blue ink that reads "Christopher A. Boyko". The signature is written in a cursive, flowing style.

CHRISTOPHER A. BOYKO
United States District Judge

March 21, 2008

FILED

MAR 21 2008

CLERK OF COURTS
U.S. DISTRICT COURT, N.D.O.
CLEVELAND